

Application Serial No. 10/540,892
Reply to final office action of June 5, 2009

PATENT
Docket: CU-4288

Remarks and Arguments

Reconsideration is respectfully requested.

Claims 1-2 and 5-6 are pending before this amendment. By the present amendment, claims 1 and 5 are amended. No new matter has been added. Because this amendment should put the application in condition for allowance and should not require any additional searching, the examiner is requested to enter the Amendment.

In the office action (page 2), claims 1-2 and 5-6 stand rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 6,470,004 (Murata) in view of U.S. Patent No. 7,085,377 (Norr).

The Applicants have amended claim 1 to clarify the presently claimed invention and to traverse the Examiner's rejection.

Claim 1 now recites, inter alia:

—a channel encoding unit for encoding **each of** the divided data according to **each of** channel environment and generating channel-coded data **for transmitting the channel-coded data through multiple frequency bands**; and

a transmitting unit for multiplexing, modulating and transmitting the channel-coded data ~~through multiple frequency bands and multiple broadcasting sites~~.

Nowhere in Murata and/or Norr, alone or in combination, disclose or suggest amended claim 1 of the present invention.

The communication system of Murata is totally different from the disclosed broadcasting system of the present invention. That is, Murata merely discloses a channel management which is necessary for multilateral communication environments such as a mobile communication, but Murata does not teach, disclose or even suggest allocating predetermined data, e.g., packet data or a program, to a plurality of channels

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and generating header information to record information relating to the allocating in the broadcasting system as disclosed by presently amended claim 1 of the present invention.

Further, Fig.2 of Murata (communication system) discloses frame structure of data, which slots are allocated to users, respectively. In contrast, the present invention (broadcasting system) does not allocate a slot to a user because the broadcasting system is **not** multilateral system.

Accordingly, as disclosed in amended claim 1 of the present invention, the channel encoding unit encodes each of the divided data according to each of channel environments and generating channel-coded data for transmitting the channel-coded data through multiple frequency bands. Therefore, the present invention encodes the divided data differently or adaptively based on the channel environments, which may differ from each of the divided data. In Fig. 1 of the present invention, the channel encoding unit 103 includes a plurality of channel encoders, which encodes the divided data according to the channel environments, which may differ from each of the divided data.

Accordingly, Murata and/or Norr, alone or in combination, fail to disclose or suggest the above technical features of amended claim 1 of the present invention as recited above.

Therefore, the applicants respectfully submit that nowhere in Murata and/or Norr, alone or in combination, is the limitation of amended claim 1 taught or suggested, which recites inter alia: —a channel encoding unit for encoding each of the divided data according to each of channel environment and generating channel-coded data for

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transmitting the channel-coded data through multiple frequency bands; and a
transmitting unit for multiplexing, modulating and transmitting the channel-coded data--.

In regards to claim 2, the applicants respectfully submit that claim 2 is allowable at least since it depends from claim 1, which is now considered to be in condition for allowance for the reasons above.

As to independent claim 5, independent claim 5 recites similar features to those found in claim 1. Therefore, for reasons analogous to those argued above with respect to claim 1, claim 5 is patentable over the applied references.

In regards to claim 6, the applicants respectfully submit that claim 6 is allowable at least since it depends from claim 5, which is now considered to be in condition for allowance for the reasons above.

For the reasons set forth above, the applicants respectfully submit that claims 1-2 and 5-6, now pending in this application, are in condition for allowance over the cited references. Accordingly, the applicants respectfully request reconsideration and withdrawal of the outstanding rejections and earnestly solicit an indication of allowable subject matter. This amendment is considered to be responsive to all points raised in the office action.

When issuance of a Notice of Allowance is proper in the next action, the examiner is authorized to cancel the withdrawn claims, for which the applicant reserves the right to file a divisional application.

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Should the examiner have any remaining questions or concerns, the examiner is encouraged to contact the undersigned attorney by telephone to expeditiously resolve such concerns.

Respectfully submitted,

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